

## UNITED STATES DISTRICT COURT

for the  
District of South Dakota

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Dane Arredondo (DOB [REDACTED]),  
to include a hair sample

Case No.

19-mj-10

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Dane Arredondo (DOB [REDACTED]), to include a hair sample

located in the \_\_\_\_\_ District of \_\_\_\_\_ South Dakota \_\_\_\_\_, there is now concealed (identify the person or describe the property to be seized):

See Affidavit, attached hereto and incorporated by reference

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

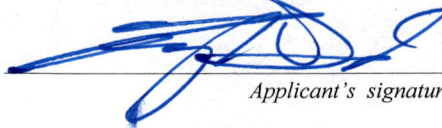
Code Section  
21 U.S.C. § 844  
21 U.S.C. § 841(a)(1)

## Offense Description

Unlawful Possession of a Controlled Substance  
Distribution of a Controlled Substance

The application is based on these facts:

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

HHS OIG SA Corey J. Dumdei

Printed name and title

Sworn to in person.

Date:

1-16-19

City and state: Rapid City, SD



Judge's signature

Daneta Wollmann, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

IN THE MATTER OF THE SEARCH  
OF:

19-MJ-10

The person or body of Dane Arredondo, date of birth [REDACTED], to include a hair sample.

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEARCH WARRANT**

STATE OF SOUTH DAKOTA )  
 )  
COUNTY OF PENNINGTON )

I, Corey J. Dumdei, Special Agent for the U.S. Department of Health and Human Services, Office of Inspector General, Office of Investigations, after being duly sworn on oath, do depose and state as follows:

1. I am a duly authorized Special Agent for the U.S. Department of Health and Human Services, Office of Inspector General, Office of Investigations, hereinafter referred to as HHS/OIG, Sioux Falls, South Dakota. I have been employed as a Special Agent with the U.S. Department of Health and Human Services, Office of Inspector General since May 2002. I hold a Bachelor of Science Degree in Accounting and Criminal Justice. I have approximately 12 hours of Master's Degree coursework in Professional Accountancy and I am a graduate of the U.S. Department of Treasury's Federal Law Enforcement Training Center's Criminal Investigator's Training Program in Glynco, Georgia. I am also a graduate of the U.S. Treasury Inspector General for Tax Administration's Inspector General Criminal Investigator Training Program in Glynco, Georgia. I

have received agency specific training related to the investigation of programs administered by the United States Department of Health and Human Services. I am currently a Nationally Registered and South Dakota certified Emergency Medical Technician and have held my National and South Dakota Certification since December 2006. I am a graduate of the State of South Dakota Criminal Justice Law Enforcement Standards and Training Academy. I have three years of prior law enforcement experience as a sworn police officer within the State of South Dakota. I was employed as a police officer with the City of Elk Point, South Dakota, for approximately two years and with the City of Sioux Falls, South Dakota, for approximately one year.

2. As a Special Agent with the U.S. Department of Health and Human Services my duties and responsibilities include conducting criminal and civil investigations of individuals and businesses who have violated federal laws, specifically those laws found in United States Code Titles 18, 21, and 42.

3. I have conducted and/or participated in investigations utilizing surveillance techniques, undercover operations, subpoenas, witness interviews, subject interviews, and search warrants. I have executed search warrants on individuals, residences, and business locations.

4. This affidavit does not contain the entirety of my knowledge regarding this investigation.

5. This affidavit is made in support of an application for a search warrant to search for and seize evidence of a violation of 21 U.S.C. §§ 841(a)(1)

and 844, which criminalizes unlawful possession of a controlled substance and distribution of controlled substances. The items that are the subject of the search and seizure applied for in this affidavit are more specifically a hair sample from the person of Dane Arredondo.

6. On January 5, 2019, a Pennington County Sheriff's Deputy responded to a disturbance call at [REDACTED] in Rapid City, South Dakota. Upon arriving at the residence, a heavily intoxicated Native American male identified as David Arredondo answered the door. The Deputy observed a pair of legs lying on the ground in the basement. The Deputy proceeded to check on the welfare of the female, identified as Ashley Richards. The Deputy observed that Richards appeared to be intoxicated also. The Deputy observed another highly intoxicated male identified as Dane Arredondo. Initially Dane Arredondo provided a false name, however, his South Dakota driver license was located. Dane Arredondo subsequently identified himself as a paramedic with the Oglala Sioux Tribal Ambulance Service (OSTA). After another Deputy arrived on scene, various vials of controlled substances were observed in plain sight on the couch in the living room, where David was sitting. The Deputies observed the vials were empty and labeled as Ketamine. In addition, a vial of Midazolam was seen. When speaking again with Richards, additional vials of Fentanyl were observed in plain sight.

7. The Deputies contacted the OSTA to confirm if Arredondo was to have access to these medications off duty and the supervising paramedic



confirmed that Arredondo was not allowed to have these medications while off duty. In total, one vial of Midazolam, one vial of Tranexamic Acid, three vials of Ketamine, two vials of Ondansetron (Zofran), and two vials of Fentanyl were seized and logged as evidence.

8. On January 5, 2019, Dane Arredondo was employed by the Oglala Sioux Tribal Ambulance Service (OSTA). OSTA is a Public Law 93-638 entity that receives federal funding from the US Department of Health and Human Services, Public Health Service, Indian Health Service to operate. OSTA provides emergency medical services for the Oglala Sioux Tribe Reservation. Arredondo began working at the OSTA in approximately March 2013 as an emergency medical technician. Arredondo subsequently completed his paramedic training in May 2018 and became a South Dakota licensed paramedic in September 2018. As a paramedic, Arredondo has access to controlled substances maintained on the ambulance unit while on duty and for official duties in treating OSTA patients.

9. Fentanyl is a Schedule II controlled substance. For medical purposes, it is a liquid kept in one-use vials, most commonly 100 micrograms. Midazolam is a scheduled III controlled substance. For medical purposes, it is a liquid kept in glass vials, most commonly 5 milligrams. Ketamine is a schedule III controlled substance. For medical purposes, it is a liquid kept in glass vials, most commonly 500 milligrams.

10. I have been informed that at the OSTA, paramedics have access to controlled substances secured on the ambulance unit while on duty. Controlled substances are maintained on each advanced life support (paramedic) ambulance in a secured and locked safe. Each paramedic will have access to the keyless safe through a PIN, including Arredondo. Paramedics are only authorized to obtain controlled substances through their established EMS protocols while on duty to treat patients. When the secured safe is accessed, the paramedic inputs the PIN into the keyless entry and removes the required controlled substances to administer immediately to the patient either on site or while en route to a higher level of care. The medications used by the paramedic are then documented on the relevant trip sheet for the patients, which serves as the medical record. I was told by OSTA Paramedic Supervisor James Atchinson that in his review of Arredondo's trip reports, Arredondo administered Fentanyl, Midazolam, and Ketamine to a patient he treated for a gun shot wound.

11. In administering liquid controlled substances, the dispensing paramedic may have to "waste" excess amounts of the controlled substance. For example, if a doctor orders 50 micrograms of fentanyl for a patient and the vial contains 100 micrograms, the excess 50 micrograms must be "wasted." The wasting process involves disposing of the excess amount. OSTA paramedics are required to waste unused controlled substances in the presence of another medical personnel, such as a registered nurse or EMS provider, in order to

combat abuse or theft. Paramedic Atchison told me that Arredondo charted the wasting of the Ketamine, Fentanyl, and Midazolam.

12. I have been informed that the OSTA only recently started to stock controlled substances and allow paramedics to use these medications while providing emergency medical services to its patients. The OSTA formulary stocks each ambulance with three vials of Ketamine, three vials of Fentanyl, and two vials of Midazolam (Versed). The OSTA also stocks each ambulance with a variety of other injectable, non-controlled medications such as transexscemic acid and Zofran.

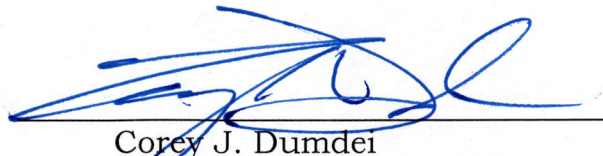
13. Richards and David Arredondo were at the residence where the narcotic medications were observed in plain sight by the Deputies. Based on the Deputies observations, Richards appeared to heavily intoxicated and had laborious breathing while lying on the floor of the bedroom. Based on the Deputy's observations, David Arredondo appeared to be heavily intoxicated when he answered the door in response to the Deputy's knocking. In addition, David Arredondo was not clear in his responses to the Deputy's questions regarding the events that had transpired early resulting in law enforcement being contacted. Based on my training and experience, the description of Richards' and David's behavior is consistent with the ingestion of the narcotic medications found at the scene.

14. I am aware that in investigations involving possession of a controlled substance, it can be useful to test an individual's bodily fluids for the presence


of controlled substance. I am aware that hair samples can be collected from individuals, and then the hair samples can be sent to a forensic or chemical laboratory for testing and analysis. Such testing and analysis of hair can generally determine controlled substance concentration levels in the body for a period of up to 90 days.

15. Based on the foregoing, I submit there is probable cause to believe that the hair samples of Dane Arredondo contains evidence of the offense of narcotics diversion and ingestion, as well as distribution, and I request a search warrant be issued authorizing a collection of a hair sample from Dane Arredondo for evidence of a violation of 21 U.S.C. §§ 841(a)(1) and 844.

Dated: 1/16/19

  
Corey J. Dumdei  
Special Agent, HHS OIG

SUBSCRIBED and SWORN to before me  
this 16<sup>th</sup> day of January, 2019.

  
DANETA WOLLMANN  
U.S. MAGISTRATE JUDGE